

ERC REPORT	City of Renton Department of Planning / Building / Public Works ENVIRONMENTAL REVIEW COMMITTEE REPORT		
ERC MEETING DATE:	February 4, 2008		
Project Name:	Helipad Zoning Code Amendment, 2007 Docket		
Owner:	N/A		
Applicant:	City of Renton		
Contact:	N/A		
File Number:	LUA08-004, ECF		
Project Manager:	Erika Conkling, Senior Planner		
Project Summary:	Amend the zoning code to allow helipads as an accessory use in the R-8 zone with a conditional use permit.		
Project Location:	This is not a site specific proposal, but the regulation would only change for R-8 properties with frontage on Lake Washington.		
Exist. Bldg. Area SF:	N/A	Proposed New Bldg. Area (footprint):	N/A
		Proposed New Bldg. Area (gross):	N/A
Site Area:	N/A	Total Building Area GSF:	N/A
STAFF RECOMMENDATION:	Staff recommends that the Environmental Review Committee issue a Determination of Non-Significance (DNS).		

PART ONE: ENVIRONMENTAL REVIEW

In compliance with RCW 43.21C.240, the following environmental (SEPA) review addresses only those project impacts that are not adequately addressed under existing development standards and environmental regulations.

A. Environmental Threshold Recommendation

Based on analysis of probable impacts from the proposal, staff recommends that the Responsible Officials:
Issue a DNS with a 14-day Appeal Period.

B. Mitigation Measures

1. None required for this non-project action.

C. Exhibits

N/A

D. Environmental Impacts

The Proposal was circulated and reviewed by various City Departments and Divisions to determine whether the applicant has adequately identified and addressed environmental impacts anticipated to occur in conjunction with the proposed development. The City also received comments from the public. Several concerns about potential environmental impacts are addressed.

Although RCW 43.21 C. 240 requires non-project environmental review to address only those impacts that are not adequately addressed under existing development standards and environmental regulations, the following concerns are addressed for clarification.

1. Hazardous Materials

Impacts: No impacts identified for this non-project legislative action. The proposed change in regulations does not affect the storage of hazardous materials, including aircraft fuels. The change also is unlikely to result in an increased likelihood of applications for the storage of hazardous materials to service aircraft, since RMC 4-3-090L.1.b.i already allows one seaplane per private residence. As a result, each of the properties subject to the proposed change in regulations already allows aircraft which could potentially require permits for the storage of hazardous materials. Installation of fuel storage tanks to support helipad operations would be subject to the same regulations and permitting process as the installation of such apparatus for seaplanes. This process involves securing permits from the City of Renton Planning, Building, Public Works Department and the City of Renton Fire Department. Any necessary mitigation measures would be addressed at the time of project-specific application. Likewise, since seaplanes are already permitted in these areas, and the proposed change would only allow one aircraft per residence, there is no change in the potential for accidental spills or leaks of hazardous materials from aircraft.

Mitigation Measures: None. If an applicant for a helipad wishes to store hazardous materials related to operation of aircraft, approved building and fire permits will need to be obtained.

2. Public Safety and Emergency Services

Impacts: No impacts identified for this non-project legislative action. The proposed regulation limits helipad uses to areas where public safety provisions are already in place. The FAA will only issue approval letters for helipads with a clear approach (not over residential areas), and the proposal limits the use to properties on Lake Washington. As a result any helipads operated as a result of this proposal will approach from Lake Washington and any aviation accident involved with take-off or landing of the aircraft is likely to occur on the operator's property or over the Lake, and not on neighboring properties. Given that the City of Renton operates a municipal airport at the south end of Lake Washington and seaplanes are long-standing allowed aviation uses for properties along Lake Washington, a public safety system is already in place to handle emergencies related to aviation accidents.

Mitigation Measures: None.

3. Shoreline Areas

Impacts: No impacts identified for this non-project legislative action. The proposal would limit helipad operations to properties along Lake Washington, but does not limit the use to areas outside of Shoreline jurisdiction. However, the change in regulations would not increase the likelihood of aircraft use within Shoreline jurisdiction. Shoreline regulations already allow the use of one seaplane per private residence under RMC 4-3-090L.1.b.i. Additionally, construction of a helipad or operation of a helipad use within a shoreline line or shoreline buffer would require an approved Shoreline variance from the City of Renton Planning, Building, Public Works Department. Impacts and mitigation are better evaluated at the project specific level.

It is possible that existing vegetation within Shoreline buffers could be permanently removed in order to meet with FAA approval for clear approach to a helipad site, even if the helipad site itself was located outside of Shoreline jurisdiction. At present time, the City of Renton's Shoreline regulations do not explicitly prevent alteration of the existing vegetation within the Shoreline buffer. RMC 4-3-090K.6 provides that landscaping should be natural and indigenous, but it is not an imperative requirement. RMC 4-3-090K.2.a does require that any action that may have detrimental effects on the shoreline to be evaluated in the design of the facility. This section allows for project-specific mitigation to be levied through SEPA conditions and/or through conditional use permit approval. Thus, at the present time there is limited regulation of removal of vegetation within the Shoreline buffer for any purpose, whether it is for aircraft use or any other use. Renton's Shoreline Master Program is currently being updated, and it is very likely that this current regulatory gap will be closed through this process. At such time in the future that this regulatory gap is addressed; applications for helipad use will be subject to the regulations in place at that time. In the mean time, project-specific review and mitigation is the best opportunity for evaluation of impacts to shorelines due to planned removal of vegetation.

Mitigation Measures: None. Construction or operation of a helipad within Shoreline jurisdiction would require an approved Shoreline variance, which would provide the opportunity to assess site specific impacts. Project level environmental review would provide mitigation for any unanticipated impacts to Shorelines from projects located outside of Shoreline jurisdiction. The City anticipates closing any loop holes in Shorelines protection regulations with the upcoming Shoreline Master Program update.

4. Wildlife

Impacts: No impacts identified for this non-project legislative action. Several species of birds, including Bald Eagles and Great Blue Heron, have been observed on and near Lake Washington and the properties surrounding the Lake. Concerns have been expressed about potential helipad uses disrupting these birds. Aviation uses are well established on and over Lake Washington, with each residence allowed one seaplane in RMC 4-3-090L.1.b.i, and with the operation of aircraft from Renton Municipal Airport and from the Boeing 737 manufacturing facility located at the south end of the Lake. Additionally, the operation of watercraft on the Lake has the opportunity to provide disturbance of wildlife in terms of noise, wave activity, and other physical disturbance; property maintenance activities on residential land (lawn mowers, maintenance of bulkheads, chainsaw operations) may also cause wildlife disturbance. Despite these disruptions, many bird species continue to live and thrive in, near, and on Lake Washington, including Bald Eagles and Great Blue Heron. In order to thrive, such species have adapted to urbanized areas and increased levels of disturbance. The Washington Department of Fish and Wildlife has used helicopters since 1985 to get close to eagle nests to count eggs and perform other studies (Watson, James W. 1993. "Responses of Nesting Bald Eagle to Helicopter Surveys" *Wildlife Society Bulletin*. 21: 171-178.). Similarly, studies of eagles and over-flights show that Bald Eagles had no response to the over-flight of helicopters (Noise Pollution Clearinghouse. "Effects of Over-flights on Wildlife" www.nonoise.org/library/npreport/chapter5.htm). As a result, it does not appear that helicopter operations in particular adversely impact Bald Eagles.

Since one seaplane is currently allowed per residence, the proposal would not increase the potential of wildlife disturbance from noise; however, because helipad use would not involve taking-off and landing in Lake Washington, there may be slightly less potential for some types of disruption of both birds and fish.

Mitigation Measures: None.

5. Noise

Impacts: No impacts identified for this non-project legislative action. Concerns about noise have been expressed both for immediate neighbors of any future helipad site and in general for the neighborhood on Kenndale Hill.

The general vicinity of the area affected by this proposal is a very noisy location. There are noises from Interstate 405 including traffic and news helicopter over-flights, from recreational noises on Lake Washington such as jet skis and speed boats, from residential related uses like lawnmowers or leaf blowers, and from aviation uses associated with Boeing, Renton Municipal Airport, and the operation of seaplanes. The City of Renton does not regulate any of these noises, and does not have jurisdiction to regulate the flight paths of aircraft. Each residence on the Lake is allowed one seaplane under RMC 4-3-090L.1.b.i and the proposed regulation only allows one aircraft per residence. Furthermore, even without the proposal, the helicopter traffic would be diverted to Renton Municipal Airport, as is the current situation. Aircraft traffic headed for Renton Municipal Airport is just as likely to create noise for the Kenndale Hill neighborhood. Thus, there is no increased potential for impacts for the residents of Kenndale Hill.

Noise is more likely to be experienced by the immediate neighbors of future helipad sites. The amount of noise experienced by neighbors depends upon the size of the property containing the helipad, the location of the helipad on the property, and the type of helicopter flown from the site. As each residence is allowed one seaplane, this proposal does not increase the potential for aviation related noise for neighboring property owners. However, the proposal requires that the helipad use be approved by conditional use permit. One of the decision criteria for conditional uses under RMC 4-9-030 is an evaluation of noise. As a result, any noise

concerns can be reviewed and mitigated at a project specific level if they are anticipated to be above the anticipated level of neighborhood noise impacts.

Mitigation Measures: None. Project specific environmental review and conditional use permit criteria will be used to assess and mitigate noise concerns that go beyond the currently accepted level of neighborhood noise.

E. Comments of Reviewing Departments

The proposal has been circulated to City Department and Division Reviewers. Where applicable, their comments have been incorporated into the text of this report and/or "Advisory Notes to Applicant."

- ✓ **Copies of all Review Comments are contained in the Official File and may be attached to this report.**

Environmental Determination Appeal Process Appeals of the environmental determination must be filed in writing on or before 5:00 PM, February 25, 2008.

Renton Municipal Code Section 4-8-110.B governs appeals to the Hearing Examiner. Appeals must be filed in writing at the City Clerk's office along with a \$75.00 application fee. Additional information regarding the appeal process may be obtained from the City Clerk's Office, Renton City Hall - 7th Floor, 1055 S. Grady Way, Renton WA 98057.